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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

FOURTH APPELLATE DISTRICT

DIVISION THREE

In re BRITTANY B., a Person Coming  
Under the Juvenile Court Law.

ORANGE COUNTY SOCIAL SERVICES  
AGENCY,

Plaintiff and Respondent,

v.

JAMES B., et al.,

Defendants and Appellants.

G040898

(Super. Ct. No. DP011526)

O P I N I O N

Appeal from an order of the Superior Court of Orange County, Caryl  
A. Lee, Judge. Dismissed.

Marsha F. Levine, under appointment by the Court of Appeal, for  
Defendant and Appellant James B.

Valerie N. Lankford, under appointment by the Court of Appeal, for  
Defendant and Appellant Sandra B.

Benjamin P. de Mayo, County Counsel, Karen L. Christensen and Jeannie  
Su, Deputy County Counsel, for Plaintiff and Respondent.

No appearance by the Minor.

James and Sandra B. appeal from an order limiting their right to make educational decisions respecting their daughter Brittany. However, because appellants' parental rights over Brittany have been terminated since that order, we will dismiss their appeal as moot.

## DISCUSSION

In March 2005, Brittany and her siblings were detained due to appellants' abusive behavior. The family reunified in late 2006, but six months later, a supplemental petition was filed on grounds of abuse and neglect, and the children were again taken into protective custody. On August 27, 2008, the court limited appellants' right to make educational decisions respecting Brittany. Appellants timely appealed from that order, but during the pendency of that appeal, on January 22, 2009, the court terminated their parental rights over Brittany altogether. Appellants then filed a second appeal from the termination order. In an opinion filed concurrently herewith, we have determined that second appeal is unmeritorious, and therefore the termination order must be affirmed. (*In re Brittany B.* (June 29, 2009, G041520) [nonpub. opn.].) That raises the question of whether appellants' initial appeal, the one at issue here, is still viable.<sup>1</sup>

The law is well established that an appellate court will not review questions which are moot and only of academic importance, nor will it determine abstract questions of law at the request of a party who shows no substantial rights can be affected by the decision. (*Keefer v. Keefer* (1939) 31 Cal.App.2d 335, 337.) An appeal becomes moot when the occurrence of an event renders it impossible for the appellate court to grant the relief requested. (*In re Jessica K.* (2000) 79 Cal.App.4th 1313, 1315-1316.)

In light of the trial court's order terminating appellants' parental rights over Brittany, and our subsequent affirmance of that order, we are unable to grant appellants

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<sup>1</sup> Respondent raised this issue in a motion to dismiss soon after the trial court terminated appellants' parental rights over Brittany. However, we denied the motion because appellants' appeal of that order was then pending. As we have explained, that appeal has now been decided in respondent's favor.

relief from the earlier order regarding Brittany's education. Therefore, appellants' present appeal is moot and must be dismissed. (*In re Jessica K.*, *supra*, 79 Cal.App.4th at pp. 1316-1317.)

DISPOSITION

The appeal is dismissed.

BEDSWORTH, J.

WE CONCUR:

SILLS, P. J.

O'LEARY, J.